

Exhibit J

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

3
4 *****

5 IN RE: CENTURYLINK SALES PRACTICES

6 AND SECURITIES LITIGATION

7 MDL No. 17-2795 (MJD/KMM)

8 This Document Relates to:

9 Civil File No. 18-296 (MJD/KMM)

10 *****

11
12 CONTINUED DEPOSITION OF 30(B)(6) DEPOSITION OF

13 THE STATE OF OREGON, BRIAN de HAAN AS

14 REPRESENTATIVE

15 THURSDAY, MARCH 5, 2020

16 VOLUME II

17
18 BE IT REMEMBERED THAT, the continued 30(B)(6)
19 deposition of THE STATE OF OREGON, BRIAN de HAAN AS
20 REPRESENTATIVE was reported by Mary C. Soldati,
21 Registered Professional Reporter and Certified Shorthand
22 Reporter, on Thursday, March 5, 2020, commencing at the
23 hour of 4:54 p.m., the proceedings being reported at the
24 Offices of Stoll Berne, PC, 209 SW Oak, Suite 500,
25 Portland, Oregon 97204.

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1 case?

2 A. I am counsel for the Oregon Department of
3 Justice, which is the chief legal advisor to all state
4 agencies within Oregon, including the plaintiff in this
5 case.

16:57:42

6 Q. So you are counsel to the plaintiff in this case?

7 A. I am.

8 Q. And I presume, then, that you understand that the

9 Lead Plaintiff in this litigation is -- and this is a

10 mouthful -- the State of Oregon, by and through the

16:57:54

11 Oregon State Treasurer, the Oregon Public Employees

12 Retirement Board on behalf of the Oregon Public

13 Employees Retirement Fund?

14 A. Yes.

15 Q. Do you have any understanding of why the name of

16:58:07

16 the plaintiff is styled in this way?

17 A. Yes.

18 Q. Can you explain to me what your understanding is?

19 A. Plaintiff is the Oregon Public Employee

20 Retirement Fund because it owned the assets that are in

16:58:19

21 question in the litigation and it suffered the injury.

22 The Oregon Public Employee Retirement Board and

23 the Treasurer are executives of the Oregon Public

24 Employees Retirement Fund. And the Oregon Public

25 Employee Retirement Fund is a state entity and is,

16:58:38

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1 therefore, entitled to sue in the name of the State of
2 Oregon.

3 As such, it is the State of Oregon by and through
4 the two executives of the plaintiff on behalf of the
5 plaintiff, which is the Oregon Public Employees
6 Retirement Fund.

16:58:50

7 Q. And Oregon's position is that the State of Oregon
8 is not the real party in interest to this litigation,
9 it's actually the Oregon Public Employees Retirement
10 Fund?

16:59:04

11 MR. MUELLER: Objection to the form of the
12 question.

13 THE WITNESS: The plaintiff is the Oregon
14 Public Employees Retirement Fund, which is an organ of
15 the state. It, therefore, sues in the name of the
16 state. That does not mean that every agency of the
17 State of Oregon, of which there are scores, are also
18 plaintiffs in this case.

16:59:11

19 BY MR. MARTIN:

20 Q. So your position in this litigation is that to
21 the extent funds, other than OPERF, invested in
22 CenturyLink Securities during the class period, that
23 they are absent class members -- they are class members
24 potentially; is that correct?

16:59:21

25 A. I'm not sure I've taken that position, but I

16:59:41

1 believe that would be the case, yes.

2 Q. You believe that to the extent that the State
3 Accident Insurance Fund invested in CenturyLink
4 Securities during the class period, that the State
5 Accident Insurance Fund would be a class member?

17:00:01

6 MR. MUELLER: Objection.

7 BY MR. MARTIN:

8 Q. Under the definition -- under the definition
9 proposed in lead plaintiff's motion for class
10 certification?

17:00:11

11 MR. MUELLER: Objection to the extent it
12 calls for legal conclusion.

13 THE WITNESS: I'm not familiar with the
14 fund, but to the extent that the purchases fit the class
15 definition proposed, then yes, they would be class
16 members.

17:00:19

17 BY MR. MARTIN:

18 Q. And are the seven or so funds with assets managed
19 by the Oregon State Treasury legal entities in their own
20 right?

17:00:36

21 A. I don't know what seven funds you're referring
22 to.

23 Q. Earlier today the State of Oregon -- well, let me
24 just say this. Are you -- or ask of this, are you aware
25 that the Investment Management Division of the State of

17:00:52

1 Oregon Treasury invests -- manages the assets of
2 multiple funds?

3 A. I'm aware that they manage the assets of the
4 Oregon Public Employees Retirement Fund, and then I have
5 some awareness that they also -- they're also involved 17:01:06
6 in management of the assets of something called "The
7 Common School Fund." I'm not aware of any other funds.

8 Q. So you don't know whether those two funds are the
9 only funds that Oregon State Treasury manages the assets
10 of or if it manages the assets of ten or dozens of other 17:01:24
11 entities?

12 MR. MUELLER: I'm just going to object that
13 that's beyond the scope of the topics Mr. de Haan been
14 designated on. He can certainly answer if he has
15 knowledge. 17:01:35

16 THE WITNESS: That's correct.

17 BY MR. MARTIN:

18 Q. And the fund that you're familiar with, other
19 than the Oregon Public Employees Retirement Fund, is
20 what fund? 17:01:46

21 A. I have some awareness of something called "The
22 Common School Fund."

23 Q. And is that a legal entity?

24 A. I believe it is.

25 Q. It can sue and it can be sued? 17:01:54

1 MR. MUELLER: Objection to the extent it
2 calls for a legal conclusion.

3 THE WITNESS: Yeah. This is not a topic
4 that I was prepared to speak on today. I have very
5 limited knowledge as to that fund. 17:02:07

6 I do know, however, that it was included as
7 a plaintiff in the past in securities litigation also
8 brought on behalf of OPERF.

9 BY MR. MARTIN:

10 Q. Are you aware of any instance in which OPERF has 17:02:22
11 sued or been sued in its own name and not in the name of
12 the State of Oregon?

13 MR. MUELLER: Objection. Beyond the scope
14 of the topics designated. You can answer if you know.

15 THE WITNESS: No, I don't know. 17:02:41

16 BY MR. MARTIN:

17 Q. Is it possible for the Oregon Public Employees
18 Retirement Fund to sue or be sued in its own name and
19 not in the name of the State of Oregon?

20 MR. MUELLER: Same objection. 17:03:04

21 THE WITNESS: If it did, I don't think it
22 would be styled correctly. I do not know whether or not
23 it has in the past. But when it sues and is sued, it is
24 a sovereign state agency and, therefore, should use the
25 name of the state. 17:03:27

1 BY MR. MARTIN:

2 Q. What is that understanding based on?

3 A. The naming convention or my understanding that
4 it's a sovereign state entity.

5 Q. Your understanding of naming convention? 17:03:38

6 A. Simply that, convention.

7 Q. Simply that it is convention?

8 A. Yes.

9 Q. Okay. Do you understand that you're testifying
10 today on behalf of the State of Oregon and not in your 17:03:58
11 individual capacity?

12 A. I do.

13 Q. And do you have an understanding of the
14 distinction between testifying on behalf of the State of
15 Oregon and testifying in your individual capacity? 17:04:10

16 MR. MUELLER: Same objection to the
17 definition of the State of Oregon. You can answer.

18 THE WITNESS: I do.

19 BY MR. MARTIN:

20 Q. And what is that distinction as you understand 17:04:18
21 it?

22 A. I've been prepared today to testify as a
23 representative under Federal Rule of Civil Procedure
24 30(b)(6) on behalf of Oregon Public Employees Retirement
25 Fund and on the topics designated in the deposition 17:04:31

1 notice.

2 Q. Do you understand that with respect to the topics
3 you've been designated -- that Oregon has -- let me
4 start over.

5 Do you understand that with respect to the topics 17:04:49
6 about which the State of Oregon has designated you to
7 testify, you're required to testify about information
8 that is known or reasonably available to the State of
9 Oregon?

10 A. No, I wouldn't agree with that. 17:05:02

11 Q. Why would you not agree with that?

12 A. Because the plaintiff is defined in this case is
13 the Oregon Public Employees Retirement Fund.

14 I'm, therefore, not responsible for all knowledge
15 within the possession of the larger State of Oregon, 17:05:14
16 just the fund.

17 Q. So your -- your understanding is that your
18 obligation is to testify about information known or
19 reasonably available to the Oregon Public Employees
20 Retirement Fund? 17:05:28

21 A. That's correct.

22 Q. And not the State of Oregon Treasury?

23 A. The Treasurer and the Oregon State Employees
24 Retirement Board as are named in the complaint.

25 Q. So you're prepared to testify today on behalf of 17:05:37

1 the Oregon State Treasurer, the Oregon State Treasury
2 and the Oregon Public Employees Retirement Board; is
3 that correct?

4 A. No, just the first and the third.

5 Q. Just the State of Oregon Treasury and the Oregon 17:05:56
6 Public Employees Retirement Board?

7 A. Yes.

8 Q. And you're -- you understand as to them, as to
9 those entities, you're required to testify about
10 information known or reasonably available to them? 17:06:09

11 A. On the topics designated.

12 Q. And with that understanding, are you willing to
13 be able to testify -- to testify?

14 A. Yes.

15 Q. Do you understand that the testimony you give 17:06:18
16 today is under oath and that you're required to testify
17 truthfully and completely?

18 A. I do.

19 Q. Is there any reason why you can't provide
20 truthful and complete testimony today? 17:06:28

21 A. No.

22 Q. Have you ever testified or been deposed in any
23 capacity?

24 A. Never.

25 Q. You've never been deposed before? 17:06:34

1 Q. And who participated in the meeting you had
2 yesterday in preparation for today's deposition?

3 A. Michael Blatchley, Keith Dubanevich, Keil Mueller
4 and counsel for Oregon State Treasury, Deena Bothello.

5 Q. And when you spoke to counsel in preparation for 17:14:14
6 today's deposition before yesterday, how many times did
7 you speak to counsel?

8 A. Specifically discussing this deposition?

9 Q. Yes.

10 A. I believe twice. 17:14:29

11 Q. And do you remember when?

12 A. One was -- once was before we received the
13 notice. I don't remember the exact date. But it was to
14 prepare me to be designated on certain topics.

15 Next, was after we received the notice. I kind 17:14:45
16 of don't remember the exact date. But it was about the
17 substantive topics themselves and proposed testimony.

18 Q. Who participated in those calls?

19 A. Mike Blatchley and Keil Mueller.

20 Q. Anyone else? 17:15:02

21 A. I don't believe so.

22 Q. Apart from the Stoll Berne attorneys and the
23 Bernstein Litowitz attorneys that you've referenced
24 today, have you had any conversations about this case
25 with any other lawyers? 17:15:16

1 MR. MUELLER: Objection to form of the
2 question.

3 THE WITNESS: Yes. With attorneys at the
4 Oregon Department of Justice, with other attorneys at
5 Treasury and indirectly with attorneys at your firm and 17:15:34
6 with attorneys who served as proposed mediators in this
7 case.

8 BY MR. MARTIN:

9 Q. Let's take those in turn.

10 Who at Oregon DOJ, have you spoken with about 17:15:58
11 this case?

12 A. Lisa Udland, who I mentioned is chief counsel of
13 Civil Enforcement. Tim Nord, who is my direct report.
14 Fred Boss, who is the deputy attorney general. Tim
15 Smith, who is attorney in Civil Recovery, who supervised 17:16:13
16 settlement of Oregon's consumer actions.

17 Q. You spoke with Tim Smith when?

18 A. Roughly, contemporaneously, maybe a couple days
19 before the announcement of Oregon's consumer settlement,
20 and then also afterwards. 17:16:44

21 Q. What was the purpose of your conversation with
22 Tim Smith?

23 MR. MUELLER: I'm going to object that
24 that's beyond the scope of the topics for which
25 Mr. de Haan has been designated. He's free to answer 17:17:01

1 based on his personal knowledge.

2 THE WITNESS: They were legal matters in
3 connection with Tim and my representation of the state,
4 so I don't believe I can answer.

5 BY MR. MARTIN: 17:17:13

6 Q. They related to yours and Tim's representation of
7 the state?

8 A. Yes.

9 Q. And when you spoke to Tim, you said
10 contemporaneously with the consumer settlement; is that 17:17:37
11 correct?

12 A. I believe I spoke to him shortly before the
13 settlement was consummated and then again afterwards,
14 shortly afterwards.

15 Q. Approximately how long before the settlement was 17:17:47
16 consummated did you have a conversation with Tim?

17 A. Probably between three and five days.

18 Q. Have you ever had any conversations about this
19 litigation with Andrew Shull?

20 A. Yes. 17:18:06

21 Q. When did you have conversations about this case
22 with Andrew Shull?

23 A. Several weeks after we moved for Lead Plaintiff.

24 Q. And what was the purpose of those conversations?

25 MR. MUELLER: Objection. It's beyond the 17:18:31

1 scope of the topics. He can answer in his personal
2 capacity.

3 THE WITNESS: To confirm that I was being
4 screened from the consumer investigation.

5 BY MR. MARTIN: 17:18:40

6 Q. When you say "screened from the consumer
7 investigation," what do you mean?

8 A. I mean that a screen was put in place within DOJ
9 to prevent transmission of information to me that
10 related to the state's consumer side investigation of 17:19:00
11 CenturyLink.

12 Q. That was -- that conversation was several weeks
13 after the State of Oregon had moved to be Lead
14 Plaintiff, correct?

15 MR. MUELLER: I continue to object to this 17:19:25
16 line of questions in his personal capacity, but
17 Mr. de Haan has not been designated -- the topics --
18 this question doesn't fall within those topics.

19 THE WITNESS: And because it doesn't, I have
20 not refreshed my recollection, but it was several weeks 17:19:40
21 after, yes.

22 BY MR. MARTIN:

23 Q. During the course of those conversations, did
24 you, in fact, confirm that there was an ethical wall
25 between you and the work that you were doing and the 17:19:53

1 were -- are the two listed here?

2 A. No. My testimony is that I prepared to
3 familiarize myself with Lead Plaintiff-related
4 litigation going five years back from today, which would
5 take us to 2015. I'm speculating based. 17:40:55

6 On my personal knowledge, I'm familiar with the
7 portfolio that there were no applications in 2013 and
8 2014.

9 Q. Okay. I believe you have testified earlier that
10 you're counsel to the Lead Plaintiff in this case; is 17:41:11
11 that correct?

12 A. Yes.

13 Q. And is anyone else working for the Oregon
14 Department of Justice serving as counsel to the Lead
15 Plaintiff in connection with this litigation? 17:41:21

16 A. I am the line attorney primarily responsible for
17 overseeing the litigation, but I report to -- with
18 respect to decisions in the litigation to Lisa Udland,
19 who is chief counsel for Civil Enforcement.

20 Q. Okay. And I believe you testified earlier that 17:41:41
21 you have been overseeing the work of outside counsel in
22 this case; is that correct?

23 A. That's correct.

24 Q. And what steps have you taken to oversee the work
25 of outside counsel in this case? 17:41:55

1 A. I discuss the case regularly with outside
2 counsel. In terms of talking about progress in the
3 case, whether it be with motions or discovery and
4 talking about overall --

5 MR. MUELLER: Just going to caution the 17:42:10
6 witness not to get into the substance. He can talk
7 about general topics.

8 THE WITNESS: -- and with general strategy,
9 we speak by phone regularly, once every couple of weeks.

10 Additionally, I request counsel appear in 17:42:20
11 person to brief me and my superiors and representatives
12 of Treasury on semi-regular basis.

13 In addition, I review all pleadings and all
14 other filings, including briefs in the case, to the
15 extent that briefs or filings are made by our counsel. 17:42:36

16 I review early drafts. I comment on the
17 drafts. I discuss my proposed revisions with counsel.

18 I read finals and then I report on them to
19 my superiors within DOJ and, additionally, to lawyers at
20 Treasury. 17:42:54

21 Q. Have you assisted in discovery in connection with
22 this case?

23 A. I don't believe I've actually procured any
24 discovery myself, but I've participated in numerous
25 calls and had numerous conversations with counsel that 17:43:07

1 involve scope of discovery and methods for obtaining and
2 producing responsive documents.

3 Q. And who else from the State of Oregon has
4 assisted in any way with discovery?

5 A. Counsel at Treasury.

17:43:26

6 Q. And who is that?

7 A. Lisa Pettinati and Deena Bothello. Also
8 non-attorney staff at Treasury has been involved,
9 although I'm not perfectly clear on what extent.

10 Q. And did Oregon -- so are you generally familiar
11 with the work that the people you just mentioned have
12 done in connection with discovery in this case?

17:43:43

13 A. I'm generally familiar.

14 Q. And do you know whether Oregon took steps to
15 preserve potentially relevant documents and information
16 in this case?

17:43:57

17 A. Yes.

18 Q. And how do you know that -- or sorry, you said
19 you do know whether Oregon took steps to preserve
20 potentially relevant documents and information in this
21 case?

17:44:25

22 A. Yes.

23 Q. And what is the answer to that?

24 A. The answer is yes.

25 Q. And which employee of the State of Oregon has

17:44:32

1 half, two weeks before the application was filed.

2 BY MR. MARTIN:

3 Q. So your testimony is that a week and a half or
4 two weeks before the application to become Lead
5 Plaintiff was filed, you became aware that there was an 17:47:41
6 opportunity for the State of Oregon to apply to become
7 Lead Plaintiff in this case?

8 A. That's an approximate timeline.

9 Q. Okay. And assuming you start from that point, in
10 terms of costs and expenses, can you ballpark Oregon's 17:47:54
11 costs and expenses incurred to date in connection with
12 this case?

13 A. No.

14 Q. Has the State of Oregon prepared a projection of
15 the costs and expenses related to this case? 17:48:08

16 A. No.

17 Q. Okay.

18 MR. MARTIN: Let's take a five-minutes
19 break.

20 THE VIDEOGRAPHER: Off the record at 5:48. 17:48:28
21 (Break taken.)

22 THE VIDEOGRAPHER: We are back on the record
23 at 5:57.

24 BY MR. MARTIN:

25 Q. Did the State of Oregon or its agents, including 17:57:44

1 it's counsel, conduct a pre-complaint investigation of
2 any kind?

3 MR. MUELLER: Object to the form of the
4 question.

5 THE WITNESS: Counsel conducted a 17:57:55
6 pre-complaint investigation.

7 BY MR. MARTIN:

8 Q. And when you say "counsel," you're referring to
9 Stoll Berne and Bernstein Litowitz?

10 A. I am. 17:58:05

11 Q. Was any other lawyer involved -- lawyers apart
12 from lawyers of Stoll Berne and Bernstein Litowitz
13 involved in any way in the pre-complaint investigation?

14 A. I was updated but not otherwise involved, and I'm
15 not aware of any other involvement of any other lawyers. 17:58:26

16 Q. When did the pre-complaint investigation begin?

17 MR. MUELLER: Object to the form of the
18 question.

19 THE WITNESS: Prior to application by Oregon
20 for Lead Plaintiff. 17:58:41

21 BY MR. MARTIN:

22 Q. And do you recall when that application was
23 submitted?

24 A. I don't remember the exact date, but I believe it
25 was in August in 2017. 17:59:00

1 Q. So it began prior to the application for the Lead
2 Plaintiff, correct?

3 A. It might depend on how you define "investigation"
4 but if investigation includes assessment of the
5 reliability of factual allegations, then yes. 17:59:27

6 Q. And when did it end?

7 A. I don't believe it has ended.

8 Q. So there your -- your counsel -- the State of
9 Oregon or it's counsel was conducting a pre-complaint
10 investigation from before the Lead Plaintiff application 17:59:54
11 all the way through the filing of the complaint?

12 MR. MUELLER: Object to the form of the
13 question.

14 THE WITNESS: We're okay with disclosing my
15 knowledge of counsel's activities. 18:00:08

16 MR. MUELLER: You can disclose the length of
17 any investigation that you're aware of. You cannot
18 disclose the substance of communications with counsel or
19 the details of the investigation to the extent that you
20 learned those through counsel. 18:00:29

21 THE WITNESS: The answer is yes, that's
22 consistent with my understanding.

23 BY MR. MARTIN:

24 Q. And did the pre-complaint investigation involve
25 communications between the State of Oregon or its agents 18:00:41

1 and any third parties?

2 MR. MUELLER: Object to the form of the
3 question. And, again, you can -- anything you learned
4 specifically from counsel about the scope and about the
5 substance of the investigation is privileged.

18:00:59

6 THE WITNESS: It's my understanding that the
7 pre-complaint investigation in this litigation involved
8 communications between counsel and third parties as is
9 described in the Complaint.

10 BY MR. MARTIN:

18:01:27

11 Q. And did Oregon rely on the information it learned
12 from those communications in drafting the Complaint?

13 MR. MUELLER: Object to the form of the
14 question.

15 THE WITNESS: Could you be more specific as
16 to who you mean by "Oregon" in this sense? Are you
17 asking if I understand that counsel relied --

18:01:43

18 BY MR. MARTIN:

19 Q. I mean the plaintiff -- the plaintiff in this
20 case and its counsel -- well, excuse me.

18:01:57

21 I mean the plaintiff in this case and any of its
22 agents, including counsel.

23 MR. MUELLER: Object to the form. You can
24 answer.

25 THE WITNESS: Plaintiff in this case, Oregon

18:02:14

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1 PERF, delegated responsibility for conducting a
2 pre-complaint investigation to outside counsel, BLGP and
3 Stoll Berne, who interviewed third parties including, in
4 my understanding, roughly 20 former employees of
5 CenturyLink, and certain information learned from those 18:02:35
6 employees supports allegations made in the Complaint.

7 BY MR. MARTIN:

8 Q. You just referenced communications with 20 former
9 employees of CenturyLink.

10 Are you aware of any other communications with 18:02:54
11 third parties as part of the pre-complaint
12 investigation?

13 MR. MUELLER: I'm going to object again.

14 It's privileged. It's attorney-client privilege to the
15 extent that you learned information from counsel. 18:03:05

16 If it's been publicly disclosed, you can
17 testify about it. Beyond that, I'm going to instruct
18 you not to divulge attorney-client communications.

19 BY MR. MARTIN:

20 Q. I'm just asking if there were any communications 18:03:20
21 apart from the communications with the 20 former
22 employees that you referenced, not the identities of the
23 people that you communicated with or the substance of
24 those communications.

25 MR. MUELLER: Same objection. 18:03:30

1 THE WITNESS: I don't believe there have
2 been any that have been publically disclosed.

3 BY MR. MARTIN:

4 Q. Okay. But there are others. They just haven't
5 been publicly disclosed; is that accurate?

18:03:43

6 MR. MUELLER: Same objection.

7 THE WITNESS: Same objection as privileged
8 or work product, or are you instructing me not to
9 answer?

10 MR. MUELLER: If you do not have an answer
11 to that question that's not based on privileged,
12 confidential information based on discussions with
13 counsel, that has never been made public, then yes, I'm
14 instructing you not to answer.

18:03:54

15 THE WITNESS: Then I cannot answer the
16 question.

18:04:06

17 BY MR. MARTIN:

18 Q. Okay. Is the basis for any of the allegations in
19 the Complaint information that the plaintiff learned or
20 received during discussions with law enforcement
21 agencies in or outside of the State of Oregon?

18:04:21

22 MR. MUELLER: Again, same objection. If you
23 have knowledge, other than discussions with counsel, you
24 can answer. If your only basis for your answer would be
25 divulging attorney-client communications, don't divulge

18:04:45

1 that information. It's privileged.

2 THE WITNESS: I have no information on that
3 subject other than what's been disclosed to me by
4 counsel.

5 BY MR. MARTIN:

18:04:56

6 Q. So the question is, is the basis for any of the
7 allegations in the complaint information that the
8 plaintiff learned or received during discussions with
9 law enforcement agencies?

10 I'm not asking for the substance. I'm just
11 asking if any of the allegations in the Complaint --
12 you've reviewed the complaint, I take it, yes?

18:05:12

13 A. I have, yes.

14 Q. And are any of the allegations in that Complaint
15 based on information learned or received during
16 discussions with law enforcement agencies?

18:05:25

17 A. During discussions with?

18 Q. Discussions with law enforcement agencies.

19 A. Certain parts of the allegations in the Complaint
20 are confirmed, and in part derived from allegations made
21 in law enforcement actions and litigation, including
22 evidence attached to filings in such litigation.

18:05:38

23 I don't believe I can answer as to whether or not
24 I've been told by counsel that they had any discussions
25 that you described.

18:06:00

1 MR. MUELLER: That's correct.

2 BY MR. MARTIN:

3 Q. So you can't answer whether any of the
4 allegations in the complaint are based on conversations
5 that the State of Oregon has had with law enforcement 18:06:15
6 actions; is that correct?

7 MR. MUELLER: Asked and answered.

8 THE WITNESS: Yes.

9 MR. MARTIN: And I want to understand the
10 basis for that. Can you explain that to me why -- why 18:06:33
11 you can't?

12 MR. MUELLER: You want me to explain the
13 basis for the privilege objection or?

14 MR. MARTIN: Why are -- are you asserting
15 or -- yeah, I'm not sure. You're asserting -- you're 18:06:42
16 instructing the witness not to answer?

17 MR. MUELLER: I'm instructing the witness
18 that if he -- the only basis for answering the question
19 would be divulging communications between him and
20 counsel for Oregon in this action. 18:06:53

21 I'm instructing him not to -- not to -- not
22 to answer regarding those privileged communications.

23 If he has any other basis for being able to
24 answer that question, he can answer it. But if his only
25 basis is information that was through discussion with 18:07:15

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1 counsel, then yeah.

2 THE WITNESS: I don't have any other basis.

3 BY MR. MARTIN:

4 Q. Is the basis for any of the allegations in the

5 Complaint documents received from law enforcement 18:07:36

6 agencies?

7 MR. MUELLER: Same objection, but you can

8 answer.

9 THE WITNESS: I believe in the consolidated

10 amended complaint relied on documents publicly filed by 18:07:54

11 the Minnesota Attorney General's Office.

12 BY MR. MARTIN:

13 Q. Any other documents that the State of Oregon

14 received from law enforcement agencies and relied upon

15 in drafting the Complaint? 18:08:09

16 A. Not that I'm aware of.

17 MR. MUELLER: Objection to form. I'm not
18 sure what you mean by "law enforcement agencies." I
19 don't mean to make speaking objections, but just to be
20 clear. 18:08:23

21 BY MR. MARTIN:

22 Q. Do you understand what I mean by "law enforcement
23 agencies"?

24 A. I took you to mean both civil and criminal law
25 enforcement, including other state attorney general's 18:08:34

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1 CERTIFICATE

2
3 I, Mary C. Soldati, Registered Professional
4 reporter, Oregon and Washington Certified Shorthand
5 Reporter, hereby certify that said witness personally
6 appeared before me at the time and place set forth in
7 the caption hereof; that at said time and place I
8 reported in stenotype all testimony adduced and other
9 oral proceedings had in the foregoing matter; that
10 thereafter my notes were transcribed through
11 computer-aided transcription by me; and that the
12 foregoing pages constitute a full, true and accurate
13 record of all such testimony adduced and oral
14 proceedings had, and of the whole thereof. I further
15 certify review of the transcript was requested.

16 In witness whereof, I have hereunto set my hand
17 this 10th day of March, 2020.

18
19
20 <%9191,Signature%>

21
22 Mary C. Soldati, RPR

CSR-WA No. 3406

23 Expires April 20, 2020

24 CSR-OR No. 19-0457

25 Expires April 20, 2022

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**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: CENTURYLINK SALES
PRACTICES AND SECURITIES
LITIGATION

MDL No. 17-2795 (MJD/KMM)

This Document Relates to:
Civil File No. 18-296 (MJD/KMM)

Errata Sheet to the Transcript of the March 5, 2020 Deposition of Brian de Haan

Page	Line	Change	Reason
238	13	“security-related” to “non securities-related”	Typographical error
246	5	“Treasury” to “Treasurer”	Typographical error
251	12	Add word: “wide body of knowledge”	Typographical error
254	15	Add word: “is an attorney in”	Typographical error
254	15	“Supervised” to “supervises”	Typographical error
258	1	“Cantor” to “Kantor”	Spelling
258	3	“Cantor” to “Kantor”	Spelling
264	23	“treasury” to “Treasury”	Capitalization
266	10	“withdraw” to “withdrew”	Typographical error
266	11	“movement” to “movant”	Typographical error
266	12	“moving” to “movant”	Typographical error
267	16	“along side” to “alongside”	Spelling
267	18	“Oregon teachers” to “Ontario Teachers”	Typographical error
271	5-8	“I’m speculating based. On my personal knowledge, I’m familiar with the portfolio” to “I’m speculating based on my personal knowledge and familiarity with the portfolio”	Typographical error
272	12	Add word: “on semi-regular” to “on a semi-regular”	Typographical error
277	1	“it’s” to “its”	Typographical error
278	9	“it’s” to “its”	Typographical error
280	2	“BLGP” to “BLBG”	Typographical error
284	25	“generals” to “general”	Typographical error
286	25	“when it” to “whether to”	Typographical error
293	17	“would” to “could”	Typographical error

I, Brian de Haan, have read the foregoing transcript, and my testimony, as corrected, above is true and correct.

I hereby certify under penalty of perjury that the foregoing is true and correct.

Date: April 12, 2020


BRIAN DE HAAN